

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the outstanding ground of rejection is respectfully requested in light of the above amendments and the remarks that follow.

At the outset, applicant reaffirms the election of claims 1-8 and cancels non-elected claims 9-15 without prejudice.

The Examiner has rejected claim 1 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103 as obvious over Hotta (WO02/29377).

Claims 2-8 have been rejected under 35 U.S.C. 103 as unpatentable over that same reference.

In order to facilitate a discussion of the prior art applied against the application claims, applicant has identified a corresponding U.S. Patent Publication No. US 2004/0020268 A1 dated February 5, 2004. While this document per se is not a reference against the claims of the instant application filed July 30, 2003, applicant will, in effect, refer to the U.S. publication as a translation of the Japanese-language '377 PCT document (Hotta).

In the statement of the rejection, the Examiner relies upon a helium package 400 and asserts that the package has sides comprised of double-sided tape, referring to Figure 5.

Figure 5 of Hotta illustrates a sealed container 100 that incorporates within its sealed periphery a separate gas-filled body or container 400. In order to test the container 100 for leaks, pressure is applied to the gas-filled body 400 to break the body 400 and

release the gas, which can then be detected by suitable detection apparatus in the event of a pinhole leak or the like in the container 100.

Hotta describes gas-filled body 400 as a small bag and is said to be made of a layered material in which a chloroethylene or polypropylene film is layered on a thin aluminum film. Helium gas fills the body. Hotta does not indicate how the gas-filled body 400 is made or sealed about its periphery but, in the embodiment shown in Figures 7-9, it is stated that the gas-filled body may be attached to and held between the inner sides of the container 200 by means of an adhesive or a two-sided tape or the like. Thus, contrary to the Examiner's assertion, there is nothing in the reference that indicates that the gas-filled body itself is comprised of a polymer sheet having four marginal edges, each of which is covered with a strip of double-sided adhesive tape as required by independent claim 1. Accordingly, claim 1 is neither anticipated nor suggested by Hotta.

Moreover, and with respect to dependent claims 2-8, while Hotta discloses the use of a chloroethylene or polypropylene film layered on a thin aluminum film to form the gas-filled body 400, the reference does not disclose or suggest the specific limitations contained in dependent claims 2-8 including the use of double-sided adhesive tape comprising an acrylic adhesive on a polypropylene substrate; the polymer sheet comprising a polyvinyl chloride film; nor the specific dimensions required by dependent claims 4-6.


With regard to independent claim 8, and for essentially the same reasons given above, Hotta neither discloses nor suggests the claimed subject matter which is similar to claim 1 but with the addition of the dimensional aspects of claims 5 and 6.

It is also noted that the tracer gas bag as required by independent claims 1 and 8 is adapted to be folded over a stator bar end and sealed to itself and to the stator bar end. Absent any disclosure or suggestion as to how the gas-filled body 400 is formed, there is no bag structure described in Hotta that is constructed as claimed and adapted to be folded over a stator bar end and sealed to itself and to the stator bar end.

It is respectfully submitted that all of claims 1-9 are now in condition for immediate allowance, and early passage to issue is requested. In the event, however, any small matters remain outstanding, the Examiner is encouraged to telephone the undersigned so that the prosecution of this application can be expeditiously concluded.

Respectfully submitted,

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